IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA)	
	Plaintiff,) 8:10CR40)	
	vs.	DETENTION ORDER	
JO	SE PEREZ-AGUILAR,		
	Defendant.		
A.	Order For Detention After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on February 25, 2010, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).		
B.	Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.		
C.	II) in violation of 18 U.S.C of ten years imprisonmer violation of 18 U.S.C. § 10 consecutive sentence to claim of U.S. citizenship (carries a maximum senter (b) The offense is a crime of (c) The offense involves a nawit: (d) The offense involves a lawit: (2) The weight of the evidence again wit: (3) The history and characteristics of (a) General Factors: The defendant a may affect wheth The defendant has X. The defendant has X. The defendant has X.	Report, and includes the following: offense charged: al Security card obtained by fraud (Count . § 1546(a) carries a maximum sentence nt; aggravated identity theft (Count I) in 028A(a)(1) carries a mandatory two year any sentence for Count II; and the false Count III) in violation of 18 U.S.C. § 911 nce of three years imprisonment. violence. urcotic drug. rge amount of controlled substances, to enst the defendant is high.	

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		The defendant does not have any significant community
		ties.
	X	Past conduct of the defendant: use of an alias name.
		The defendant has a history relating to drug abuse.
		The defendant has a history relating to alcohol abuse.
	X	The defendant has a significant prior criminal record.
		The defendant has a prior record of failure to appear at
		court proceedings.
(b)	At the ti	ime of the current arrest, the defendant was on:
		Probation
		Parole
		Release pending trial, sentence, appeal or completion of
		sentence.
(c)	c) Other Factors:	
	X	The defendant is an illegal alien and is subject to
		deportation.
		The defendant is a legal alien and will be subject to
		deportation if convicted.
	X	The Bureau of Immigration and Custom Enforcement
		(BICE) has placed a detainer with the U.S. Marshal.
		Other:

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: February 25, 2010.

BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge